

**BOARD OF PAROLE HEARINGS**  
**A Division of the California Department of Corrections and Rehabilitation**

**2008 RULEMAKING CALENDAR**

**SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007**

Subject:  Conditions of Parole		CCR Title & Sections Affected:  Title 15, Sections 2000, 2510-2513		Statute(s) Being Implemented:  PC 3052, 3053, 3053.2, 3053.5 <i>Morrissey v. Brewer</i>	
Responsible Agency Unit:  Board of Parole Hearings	Contact Person & Phone Number:  Devaney Sullivan, Regulations Coordinator (916) 322-6815	Projected Dates:			
		Notice Published:  TBD	Public Hearing:  TBD	Adoption by your agency:  TBD	To OAL for review:  TBD
<p>Report on the status of all uncompleted rulemaking described on previous calendars:</p>  <p>Regulations were approved as a regular rulemaking by the board in November 2007. The regulations are anticipated to be submitted to OAL in February 2008 to be published in the California Regulatory Notice Register.</p>					



**BOARD OF PAROLE HEARINGS**  
**A Division of the California Department of Corrections and Rehabilitation**

**2008 RULEMAKING CALENDAR**

**SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007**

Subject:  PC 3000.1 Hearings		CCR Title & Sections Affected:  Title 15, Sections 2275		Statute(s) Being Implemented:  PC 3000.1	
Responsible Agency Unit:  Board of Parole Hearings	Contact Person & Phone Number:  Devaney Sullivan (916) 322-6815	Projected Dates:			
		Notice Published:  TBD	Public Hearing:  TBD	Adoption by your agency:  TBD	To OAL for review:  TBD
<p>Report on the status of all uncompleted rulemaking described on previous calendars:</p>  <p>This regulation has been filed as an emergency rulemaking on January 7, 2008. This matter is an emergency re-adoption.</p>					

**BOARD OF PAROLE HEARINGS**  
**A Division of the California Department of Corrections and Rehabilitation**

**2008 RULEMAKING CALENDAR**

**SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007**

Subject:  Foreign Prisoner Transfer		CCR Title & Sections Affected:  Title 15, Sections 2870		Statute(s) Being Implemented:  GC 12012.1  The Convention on the Transfer Of Sentenced Persons	
Responsible Agency Unit:  Board of Parole Hearings	Contact Person & Phone Number:  Devaney Sullivan, Regulations Coordinator (916) 322-6815	Projected Dates:			
		Notice Published:  TBD	Public Hearing:  TBD	Adoption by your agency:  TBD	To OAL for review:  TBD
Report on the status of all uncompleted rulemaking described on previous calendars:   New regulatory project.					

**BOARD OF PAROLE HEARINGS**  
**A Division of the California Department of Corrections and Rehabilitation**

**2008 RULEMAKING CALENDAR**

**SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007**

<b>Subject:</b>  Parole Revocation Assessment Guidelines: Violations and Length of Confinement		<b>CCR Title &amp; Sections Affected:</b>  Title 15, Sections 2646.1		<b>Statute(s) Being Implemented:</b>  PC 3056, 3060, 3060.5 <i>Valdivia v. Schwarzenegger</i>	
<b>Responsible Agency Unit:</b>  Board of Parole Hearings	<b>Contact Person &amp; Phone Number:</b>  Devaney Sullivan, Regulations Coordinator (916) 322-6815	<b>Projected Dates:</b>			
		<small>Notice Published:</small>  TBD	<small>Public Hearing:</small>  TBD	<small>Adoption by your agency:</small>  TBD	<small>To OAL for review:</small>  TBD
<p>Report on the status of all uncompleted rulemaking described on previous calendars:</p> <p>These regulations were not promulgated during 2007 as the board continues to sort through the numerous orders from the <i>Valdivia</i> class action to determine the impact on the regulations.</p> <p>A decision making matrix is currently being developed which would affect this regulation. The regulation may need to be revised if it is inconsistent with the matrix guidelines agreed upon by the Department of Adult Parole Operations and the Board of Parole Hearings. If it is necessary to amend this section, it will be done during the 2008 calendar year and is anticipated to be a regular rulemaking.</p>					



**BOARD OF PAROLE HEARINGS**  
**A Division of the California Department of Corrections and Rehabilitation**

**2008 RULEMAKING CALENDAR**

**SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007**

Subject:  Valdivia Remedial Plan (Parole Revocation)		CCR Title & Sections Affected:  Title 15, various sections		Statute(s) Being Implemented:  <i>Valdivia v. Schwarzenegger</i>	
Responsible Agency Unit:  Board of Parole Hearings	Contact Person & Phone Number:  Devaney Sullivan, Regulations Coordinator (916) 322-6815	Projected Dates:			
		Notice Published:  TBD	Public Hearing:  TBD	Adoption by your agency:  TBD	To OAL for review:  TBD
<p>Report on the status of all uncompleted rulemaking described on previous calendars:</p> <p>The following sections are anticipated to be regular rulemakings during the 2008 rulemaking calendar period. These regulations were not promulgated during 2007 as the board continues to sort through the numerous orders from the <i>Valdivia</i> class action to determine the impact on the regulations.</p> <p>Section 2742 will need to be amended because the parole revocation extension process is being modified.</p> <p>Sections 2616(a)(14) and 2647.1 will need to be amended to address parolees suffering from mental illness.</p> <p>Section 2668 may need to be amended in light of the recent procedures developed regarding fearful witnesses.</p> <p>Sections 2690-2699 may need to be amended or abolished to address the issue of a parolees right to attorney representation.</p>					





**BOARD OF PAROLE HEARINGS**  
**A Division of the California Department of Corrections and Rehabilitation**

**2008 RULEMAKING CALENDAR**

**SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007**

<b>Subject:</b>  Revocation of Parole		<b>CCR Title &amp; Sections Affected:</b>  Title 15, Section 2637 and various other sections		<b>Statute(s) Being Implemented:</b>  PC 3000, 3056, 3060, 3063.5, 11105  SB 647	
<b>Responsible Agency Unit:</b>  Board of Parole Hearings	<b>Contact Person &amp; Phone Number:</b>  Devaney Sullivan, Regulations Coordinator (916) 322-6815	<b>Projected Dates:</b>			
		Notice Published:  TBD	Public Hearing:  TBD	Adoption by your agency:  TBD	To OAL for review:  TBD
<p>Report on the status of all uncompleted rulemaking described on previous calendars:</p>          <p>These regulations were not promulgated during 2007 as the board continues to sort through the numerous orders from the <i>Valdivia</i> class action to determine the impact on the regulations. These regulations will be promulgated in 2008.</p>					



**BOARD OF PAROLE HEARINGS**  
**A Division of the California Department of Corrections and Rehabilitation**

**2008 RULEMAKING CALENDAR**

**SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007**

<b>Subject:</b>  Parole Hearings: Victims, Next of Kin, and Immediate Family Members and Designated Representatives		<b>CCR Title &amp; Sections Affected:</b>  Title 15, Section 2029	<b>Statute(s) Being Implemented:</b>  AB 2(Bogh)(Stats.2004, Ch. 1) PC 1191.15, 3041, 3043, 3043.6 W&I Code 1767.9  SB 1516 (Machado) (Stats. 2004, Ch. 289) PC 3043, 3043.2, 3043.25, 3043.3			
<b>Responsible Agency Unit:</b>  Board of Parole Hearings	<b>Contact Person &amp; Phone Number:</b>  Devaney Sullivan, Regulations Coordinator (916) 322-6815	<b>Projected Dates:</b>				
		Notice Published:  TBD	Public Hearing:  TBD	Adoption by your agency:  TBD	To OAL for review:  TBD	
<b>Report on the status of all uncompleted rulemaking described on previous calendars:</b>  <p style="margin-top: 20px;">This regulation amendment was not completed in 2007 due to unforeseen emergency regulations that took priority. This matter is anticipated to be filed as a regular rulemaking in 2008.</p>						















**BOARD OF PAROLE HEARINGS**  
**A Division of the California Department of Corrections and Rehabilitation**

**2008 RULEMAKING CALENDAR**

**SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007**

Subject:  Ex Parte Communications		CCR Title & Sections Affected:  Title 15, new section		Statute(s) Being Implemented:  <i>Morrissey v. Brewer</i> , 408 US 471 (1972)	
Responsible Agency Unit:  Board of Parole Hearings	Contact Person & Phone Number:  Devaney Sullivan, Regulations Coordinator (916) 322-6815	Projected Dates:			
		Notice Published:  TBD	Public Hearing:  TBD	Adoption by your agency:  TBD	To OAL for review:  TBD
<p>Report on the status of all uncompleted rulemaking described on previous calendars:</p> <p>This regulation amendment was not completed in 2007 due to unforeseen emergency regulations that took priority. This matter is anticipated to be filed as a regular rulemaking in 2008.</p>					

**BOARD OF PAROLE HEARINGS**  
**A Division of the California Department of Corrections and Rehabilitation**

**2008 RULEMAKING CALENDAR**

**SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007**

Subject:  Right to Represent Self		CCR Title & Sections Affected:  Title 15, new section		Statute(s) Being Implemented:  <i>In re Rutherford</i>	
Responsible Agency Unit:  Board of Parole Hearings	Contact Person & Phone Number:  Devaney Sullivan, Regulations Coordinator (916) 322-6815	Projected Dates:			
		Notice Published:  TBD	Public Hearing:  TBD	Adoption by your agency:  TBD	To OAL for review:  TBD
<p>Report on the status of all uncompleted rulemaking described on previous calendars:</p> <p>This regulation amendment was not completed in 2007 due to unforeseen emergency regulations that took priority. This matter is anticipated to be filed as a regular rulemaking in 2008.</p>					



**BOARD OF PAROLE HEARINGS**  
**A Division of the California Department of Corrections and Rehabilitation**

**2008 RULEMAKING CALENDAR**

**SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007**

Subject:  Subsequent Parole Hearing		CCR Title & Sections Affected:  Title 15, Section 2270		Statute(s) Being Implemented:  GC 12012.1  PC 2912	
Responsible Agency Unit:  Board of Parole Hearings	Contact Person & Phone Number:  Devaney Sullivan, Regulations Coordinator (916) 322-6815	Projected Dates:			
		Notice Published:  TBD	Public Hearing:  TBD	Adoption by your agency:  TBD	To OAL for review:  TBD
<p>Report on the status of all uncompleted rulemaking described on previous calendars:</p>  <p>This regulation amendment was not completed in 2007 due to unforeseen emergency regulations that took priority. This matter is anticipated to be filed as a regular rulemaking in 2008.</p>					



